S.B.Cr.Misc. Bail App. No. 4351/2007
(Smt. Sukhi Devi & Ors. Vs. State of Rajasthan)

Date of order : 19/09/2007

HON'BLE MR.H.R.PANWAR, J.

Dr. Pushpendra Singh for the petitioners.

Mr. V.R.Mehta Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned.

Learned counsel for the petitioners does not want to press the bail application filed on behalf of petitioners No.1 and 2 at this stage. The bail application filed by the petitioners No. 1 Smt. Sukhi Devi and petitioner NO.2 Smt. Heerki is therefore, dismissed as not pressed.

However, having regard to the facts and circumstances of the case and keeping in view the dying declaration of the deceased wherein she has not levelled any allegation against the present petitioner No.3 Smt. Bootki @ Sumti, and having considered the oral arguments advanced by both the parties, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioner No.3 on bail.

Accordingly, this bail application filed by petitioner No.3 under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Smt. Bootki @ Sumti W/o Shankar be released on bail in FIR No.78/2007 P.S. Samdari, district Barmer, provided she executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for

her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP